

Senate File 2363 - Reprinted

SENATE FILE 2363
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3224)

(As Amended and Passed by the Senate April 30, 2014)

A BILL FOR

1 An Act relating to state and local finances by making transfers
2 and appropriations, providing for properly related matters,
3 and including effective date and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

DIVISION I

STATE BOND REPAYMENT FUND

Section 1. STATE BOND REPAYMENT FUND.

1. Notwithstanding section 8.55, subsection 2, paragraph "b", if the Iowa economic emergency fund reaches its maximum balance in the fiscal year beginning July 1, 2014, after the designated portion of the excess moneys is transferred to the taxpayers trust fund pursuant to section 8.55, subsection 2, paragraph "a", the next \$60,050,000 is transferred to the state bond repayment fund created in section 8.57F.

2. If the treasurer of state determines that the amount transferred pursuant to subsection 1 is not sufficient to defease or redeem the bonds specified in section 8.57F, subsection 2A, as enacted by this division of this Act, and to pay the costs relating to the defeasance or redemption, to the entire extent that the bonds may be defeased or redeemed, the treasurer of state may submit a written request to the department of management that the department certify the amount of the insufficiency as determined by the treasurer of state. The request shall detail the information needed by the department of management to determine whether the department concurs with the treasurer of state's determination. Upon issuance of the department of management's written certification of the insufficiency amount, there is transferred from the Iowa economic emergency fund, after the transfer made pursuant to subsection 1 to the state bond repayment fund, an amount equal to the insufficiency amount certified by the department of management. The treasurer of state's request, any documents relating to the request, and the department of management's certification shall also be submitted to the chairpersons and ranking members of the committees on appropriations of the senate and house of representatives and the legislative services agency at the time of submission or certification.

3. To the extent the vision Iowa program bonds issued

1 pursuant to section 12.71 are defeased or redeemed by moneys
2 transferred or credited to the state bond repayment fund
3 created in section 8.57F, there is transferred to the rebuild
4 Iowa infrastructure fund from the revenue source otherwise
5 designated by law or existing practice for payment of the
6 vision Iowa program bonds, an amount equal to that which
7 otherwise would have been paid in connection with the vision
8 Iowa program bonds issued pursuant to section 12.71 from such
9 revenue source for the fiscal year beginning July 1, 2014,
10 and each fiscal year thereafter as provided in section 8.57,
11 subsection 5, paragraph "e".

12 Sec. 2. Section 8.57F, Code 2014, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 2A. The moneys credited to and available
15 in the fund for the fiscal year beginning July 1, 2014, are
16 appropriated to the treasurer of state for the defeasance or
17 redemption of the vision Iowa program bonds issued pursuant to
18 section 12.71 and for the costs relating to the defeasance or
19 redemption, to the extent the bonds can be defeased or redeemed
20 and costs paid within the amount appropriated.

21 Sec. 3. Section 8.57F, subsection 3, Code 2014, is amended
22 to read as follows:

23 3. Any bonds listed in ~~subsection~~ subsections 2 and 2A that
24 are not defeased or redeemed in accordance with this section
25 shall continue to be payable from their original payment
26 source.

27 Sec. 4. EFFECTIVE UPON ENACTMENT. This division of this
28 Act, being deemed of immediate importance, takes effect upon
29 enactment.

30 Sec. 5. APPLICABILITY. The section of this division of this
31 Act providing for transfer of moneys from the Iowa economic
32 emergency fund to the state bond repayment fund instead of the
33 general fund of the state applies to transfers made from the
34 Iowa economic emergency fund after the effective date of this
35 division of this Act.

DIVISION II

MISCELLANEOUS APPROPRIATIONS

1
2
3 Sec. 6. GENERAL FUND APPROPRIATIONS — FY 2013-2014. There
4 is appropriated from the general fund of the state to the
5 following departments and agencies for the fiscal year
6 beginning July 1, 2013, and ending June 30, 2014, the following
7 amounts, or so much thereof as is necessary, to be used for the
8 purposes designated:

9 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

10 a. For deposit in the agricultural drainage well water
11 quality assistance fund created in section 460.303 to be used
12 for purposes of supporting the agricultural drainage well water
13 quality assistance program as provided in section 460.304:
14 \$ 1,240,000

15 b. For deposit in the water quality initiative fund created
16 in section 466B.45 for purposes of supporting special projects
17 associated with a water quality initiative administered by the
18 soil conservation division as provided in section 466B.42:
19 \$ 3,500,000

20 c. For deposit in the watershed improvement fund created in
21 section 466A.2:
22 \$ 1,500,000

23 d. For use by the department in providing for soil and
24 water conservation administration, the conservation of soil and
25 water resources, and the support of soil and water conservation
26 district commissioners:
27 \$ 5,000,000

28 e. For support of the silos and smokestacks national
29 heritage area to provide continued agricultural-related
30 education and preservation:
31 \$ 200,000

32 2. DEPARTMENT OF CULTURAL AFFAIRS

33 a. For preservation of civil war muster rolls:
34 \$ 90,000

35 b. For restoration of the grave of governor Samuel Merrill:

1 \$ 50,000

2 c. For the funding of an oral history of civil rights at a
3 museum located in a county with a population between 200,000
4 and 300,000 in the latest preceding certified federal census:

5 \$ 300,000

6 d. (1) For the planning, design, construction, and
7 renovation of the state historical building:

8 \$ 3,800,000

9 (2) By October 15, 2014, the department shall submit a
10 report to the general assembly on the results of the planning
11 and study of the building including the use of and anticipated
12 cash flow needs for the final building design.

13 3. ECONOMIC DEVELOPMENT AUTHORITY

14 a. For purposes of the midwest United States-Japan
15 conference:

16 \$ 100,000

17 b. For the strategic infrastructure program if enacted by
18 2014 Iowa Acts, House File 2445, or 2014 Iowa Acts, Senate File
19 2359:

20 \$ 4,000,000

21 c. For the home base Iowa initiative:

22 \$ 400,000

23 (1) Moneys appropriated in this lettered paragraph
24 shall be used to conduct a professional and occupational
25 licensure analysis for connecting military occupations with
26 Iowa's professional and occupational licensure rules. The
27 analysis shall assist licensing boards in developing policies
28 providing veterans with credit in the licensing process for
29 military education, training, and service and shall identify
30 military occupations that are most closely aligned with Iowa's
31 professional and occupational licensures.

32 (2) Moneys appropriated in this lettered paragraph shall
33 be used to mitigate costs incurred by licensing boards in
34 implementing policies providing veterans with credit in the
35 professional and occupational licensing process for military

1 education, training, and service.

2 (3) Moneys appropriated in this lettered paragraph shall be
3 used to support increased workforce-related data capabilities
4 for veterans in Iowa. The data capabilities shall allow the
5 department to effectively track the progress of assisting
6 veterans with workforce issues.

7 4. DEPARTMENT OF EDUCATION

8 For purposes of providing reimbursement to public school
9 districts that conduct radon testing pursuant to section
10 280.30, as enacted in this Act:

11 \$ 1,000,000

12 5. DEPARTMENT OF HUMAN RIGHTS

13 To supplement the appropriation made for the low-income
14 home energy assistance program in 2013 Iowa Acts, chapter 136,
15 section 10:

16 \$ 2,000,000

17 6. DEPARTMENT OF HUMAN SERVICES

18 a. For the costs of compensatory education to address the
19 reviews of special education of certain children placed at the
20 Iowa juvenile home conducted by the department of education in
21 fall 2013 and reported to the department of human services on
22 October 7 and December 20, 2013:

23 \$ 1,220,000

24 b. For a study to assess placement of sex offenders or
25 other hard-to-place persons in the state requiring the type
26 of personal and medical care provided by a nursing facility,
27 including salaries, support, maintenance, and miscellaneous
28 purposes:

29 \$ 100,000

30 (1) From the moneys appropriated in this lettered
31 paragraph, the department of human services shall utilize a
32 request for proposals process to select a private entity to
33 study the implementation of facilities in other states that
34 provide care for sex offenders and other hard-to-place persons
35 needing the type of care provided by a nursing facility, to

1 develop projections of the need for this type of facility in
2 the state over the next twenty years, and to develop cost
3 projections and financing considerations for facility options
4 in the state. The department of human services shall issue
5 a request for proposals within thirty days after the date of
6 enactment of this division of this Act.

7 (2) The study and report following the conclusion of the
8 study shall include all of the following information:

9 (a) A summary of long-term care facilities operated in
10 other states for the purpose of caring for sex offenders or
11 other hard-to-place persons, whether the facility is operated
12 by a governmental entity or through a contract with a private
13 entity. The summary of the facilities shall include an
14 overview of ownership and operations, populations served,
15 financing sources and average costs per patient, public
16 financing limitations, security or staff training policies, and
17 other considerations deemed appropriate. The summary shall
18 focus on models that may be adaptable to Iowa.

19 (b) A projection of the number of persons in the state who,
20 in the next twenty years, would require the services of such a
21 facility due to sex offender status, a history of abusive or
22 violent behavior in previous nursing facility placements, or
23 other unmet psychiatric needs.

24 (c) An analysis of options for the state based on the
25 research of out-of-state models and projected need. The
26 analysis shall identify potential ownership structures and
27 public or private facility options, including an identification
28 of state-owned facilities that may be underutilized and could
29 be reconfigured. The analysis shall also include management
30 structures, whether public or private, potential sources of
31 revenue and limitations on those sources, the need for enhanced
32 security or staff training for safety, and other considerations
33 deemed appropriate.

34 (3) A report on the results of the study produced pursuant
35 to this lettered paragraph shall be submitted to the governor,

1 the general assembly, and the department of human services by
2 November 1, 2014.

3 (4) The departments of human services, corrections,
4 inspections and appeals, and aging, the state public defender,
5 the office of ombudsman, the office of the state long-term care
6 ombudsman, and the judicial branch shall provide information
7 for purposes of the study as requested by the private entity
8 conducting the study. However, any information which is
9 confidential shall continue to be maintained as confidential.

10 (5) Notwithstanding section 8.33, moneys appropriated in
11 this lettered paragraph that remain unencumbered or unobligated
12 at the close of the fiscal year for which appropriated shall
13 not revert but shall remain available for expenditure for the
14 purposes designated until the close of the succeeding fiscal
15 year.

16 c. For the public purpose of providing grants to community
17 mental health centers in accordance with this lettered
18 paragraph:

19 \$ 800,000

20 The appropriation made in this lettered paragraph shall be
21 distributed as grants of up to \$100,000 to those nonprofit
22 community mental health centers designated by the department
23 under chapter 230A as of January 1, 2014. The grants shall
24 be used by the centers for the costs of implementing an
25 electronic health record system. The electronic health record
26 systems implemented pursuant to a grant shall comply with the
27 electronic health information provisions implemented pursuant
28 to section 135.156 and with the mental health and disabilities
29 services system central data repository implemented pursuant
30 to section 225C.6A and other data requirements under chapter
31 225C. Each recipient of a grant shall have the electronic
32 health record system fully operational on or before July 1,
33 2018. Notwithstanding section 8.33, moneys appropriated in
34 this lettered paragraph that remain unencumbered or unobligated
35 at the close of the fiscal year for which appropriated shall

1 not revert but shall remain available for expenditure for the
2 purposes designated until the close of the succeeding fiscal
3 year.

4 d. To be used for payment of verified costs for previously
5 uncompensated medical and surgical treatment provided during
6 the period beginning July 1, 2013, and ending December 31,
7 2013, to individuals who met the eligibility requirements
8 pursuant to chapter 249J, Code 2013, but were not members of
9 the expansion population pursuant to chapter 249J, Code 2013,
10 during such period:

11 \$ 10,900,000

12 (1) Applicants for moneys appropriated in this lettered
13 paragraph include a publicly owned acute care teaching hospital
14 located in a county with a population over 350,000, and the
15 university of Iowa hospitals and clinics. All applicants shall
16 receive moneys appropriated under this lettered paragraph in an
17 amount to be determined by the department.

18 (2) In order to receive moneys under this lettered
19 paragraph, an applicant must submit claim documentation to the
20 department verifying the costs for previously uncompensated
21 medical and surgical treatment provided during the period
22 beginning July 1, 2013, and ending December 31, 2013, to the
23 individuals specified in this lettered paragraph.

24 e. For use by an Iowa-based nonprofit organization that is a
25 grantee of the department for expanding the usage of the earned
26 income tax credit to evaluate the need to assist low-income
27 Iowans in preparing tax returns for electronic filing:

28 \$ 10,000

29 f. For implementation costs to contract with a third-party
30 vendor to establish an asset, income, and identity eligibility
31 verification system for the purposes of determining or
32 redetermining eligibility of an individual who is an applicant
33 for or recipient of medical assistance under the Medicaid
34 program state plan on the basis of being aged, blind, or
35 disabled in accordance with 42 U.S.C. §1396w, as provided in

1 2014 Iowa Acts, House File 2463, if enacted:

2 \$ 400,000

3 g. For development and initial implementation of an
4 inpatient psychiatric bed tracking system in accordance with
5 this lettered paragraph:

6 \$ 200,000

7 (1) In developing the requirements for procurement of the
8 system, the department of human services shall engage the
9 group of magistrates and hospital personnel that assisted the
10 department in developing the hospital bed tracking system
11 report submitted to the general assembly in December 2013,
12 pursuant to 2013 Iowa Acts, chapter 130, section 56. The
13 department shall also engage representatives of other portions
14 of the mental health system, including representatives of the
15 regional mental health and disability services system, the
16 state mental health institutes, the Iowa behavioral health
17 association, and the Iowa association of community providers.
18 The procedural issues addressed by the group shall include
19 but are not limited to the responsibility for data entry
20 and verification, timeliness of data entry, confidentiality
21 requirements associated with the data needed to ensure the
22 usefulness of the system, and key characteristics and capacity
23 information about the beds in the system.

24 (2) The department shall base the procurement requirements
25 on the recommendation option contained in the December 2013
26 report that projected the lowest annual maintenance and
27 operating costs than the other option.

28 (3) Notwithstanding section 8.33, moneys appropriated in
29 this lettered paragraph that remain unencumbered or unobligated
30 at the close of the fiscal year for which appropriated shall
31 not revert but shall remain available for expenditure for the
32 purposes designated until the close of the succeeding fiscal
33 year.

34 7. DEPARTMENT OF PUBLIC HEALTH

35 For the public purpose of providing a grant on behalf of

1 substance-related disorder treatment providers in accordance
2 with this section:

3 \$ 2,800,000

4 The appropriation made in this lettered paragraph shall
5 be distributed as a grant to an association representing the
6 majority of the nonprofit substance-related disorder treatment
7 providers licensed under section 125.13 by the department as of
8 January 1, 2014, that receive federal prevention and treatment
9 of substance abuse block grant funding through the department.
10 The grant shall be used for bulk purchasing and to implement an
11 electronic health record system in the providers that receive
12 that federal grant. The electronic health record system
13 implemented with the grant shall comply with the electronic
14 health information provisions implemented pursuant to section
15 135.156 and with the mental health and disabilities services
16 system central data repository implemented pursuant to section
17 225C.6A and other data requirements under chapter 225C. Each
18 of the providers shall have the electronic health record system
19 fully operational on or before July 1, 2018. Notwithstanding
20 section 8.33, moneys appropriated in this lettered paragraph
21 that remain unencumbered or unobligated at the close of the
22 fiscal year for which appropriated shall not revert but shall
23 remain available for expenditure for the purposes designated
24 until the close of the succeeding fiscal year.

25 8. DEPARTMENT OF PUBLIC SAFETY

26 For the fire service training bureau for the purchase of
27 equipment including mobile training units and an interior fire
28 attack simulator:

29 \$ 450,000

30 9. IOWA JUDICIAL BRANCH

31 For costs associated with the electronic document management
32 system and other technology-related projects:

33 \$ 1,650,000

34 10. STATE BOARD OF REGENTS

35 a. For the Iowa flood center at the state university of

1 Iowa:

2 \$ 1,200,000

3 (1) Of the moneys appropriated in this lettered paragraph,
4 \$200,000 shall be used for purposes of a groundwater monitoring
5 network.

6 (2) Of the moneys appropriated in this lettered paragraph,
7 \$1,000,000 shall be used for purposes of a soil monitoring
8 network.

9 b. For the advanced manufacturing center at the university
10 of northern Iowa:

11 \$ 3,000,000

12 (1) Of the moneys appropriated in this lettered paragraph,
13 \$2,000,000 shall be used to purchase advanced manufacturing
14 equipment.

15 (2) Of the moneys appropriated in this lettered paragraph,
16 \$1,000,000 shall be used for infrastructure costs at the
17 center.

18 c. For the veterinary diagnostic laboratory at the college
19 of veterinary medicine at Iowa state university of science and
20 technology for the purchase of cancer-related equipment:

21 \$ 300,000

22 d. For construction, renovation, and related improvements
23 for phase II of the agricultural and biosystems engineering
24 complex, including classrooms, laboratories, and offices at
25 Iowa state university of science and technology:

26 \$ 18,600,000

27 e. For the renovation and related improvements to the dental
28 science building at the state university of Iowa including but
29 not limited to renovation of clinical spaces and development of
30 a multidisciplinary clinical area:

31 \$ 8,000,000

32 f. For renovation and related improvements for Bartlett
33 hall at the university of northern Iowa including providing
34 faculty offices, seminar rooms, and laboratories in the
35 building and the associated demolition of Baker hall:

S.F. 2363

1 \$ 1,947,000
 2 Sec. 7. REAP. Notwithstanding the amount of the standing
 3 appropriation from the general fund of the state to the Iowa
 4 resources enhancement and protection fund as provided in
 5 section 455A.18, and in addition to moneys appropriated in 2014
 6 Iowa Acts, House File 2458, and 2014 Iowa Acts, Senate File
 7 2349, there is appropriated from the general fund of the state
 8 to the Iowa resources enhancement and protection fund for the
 9 fiscal year beginning July 1, 2013, and ending June 30, 2014,
 10 the following amount, to be allocated as provided in section
 11 455A.19:

12 \$ 5,000,000

13 Sec. 8. 2011 Iowa Acts, chapter 133, section 1, subsection
 14 10, paragraphs d through f, as amended by 2012 Iowa Acts,
 15 chapter 1140, section 15, are amended to read as follows:

16 d. For construction, renovation, and related improvements
 17 for phase II of the agricultural and biosystems engineering
 18 complex, including classrooms, laboratories, and offices at
 19 Iowa state university of science and technology:

| | |
|----------------------|--------------------------|
| 20 FY 2011-2012..... | \$ 1,000,000 |
| 21 FY 2012-2013..... | \$ 19,050,000 |
| 22 FY 2013-2014..... | \$ 21,750,000 |
| 23 FY 2014-2015..... | \$ 18,600,000 |
| 24 | <u>0</u> |

25 e. For the renovation and related improvements to the dental
 26 science building at the state university of Iowa including but
 27 not limited to renovation of clinical spaces and development of
 28 a multidisciplinary clinical area:

| | |
|----------------------|-------------------------|
| 29 FY 2011-2012..... | \$ 1,000,000 |
| 30 FY 2012-2013..... | \$ 10,250,000 |
| 31 FY 2013-2014..... | \$ 9,750,000 |
| 32 FY 2014-2015..... | \$ 8,000,000 |
| 33 | <u>0</u> |

34 f. For renovation and related improvements for Bartlett
 35 hall at the university of northern Iowa including providing

| | | |
|---|---|-------------------------|
| 1 | faculty offices, seminar rooms, and laboratories in the | |
| 2 | building and the associated demolition of Baker hall: | |
| 3 | FY 2011-2012..... | \$ 1,000,000 |
| 4 | FY 2012-2013..... | \$ 7,786,000 |
| 5 | FY 2013-2014..... | \$ 10,267,000 |
| 6 | FY 2014-2015..... | \$ 1,947,000 |
| 7 | | <u>0</u> |

8 Sec. 9. REPORTING.

9 1. On or before January 15 of each year, a state agency
10 that received an appropriation in this division of this
11 Act shall report to the legislative services agency and the
12 department of management the status of all projects completed
13 or in progress. The report shall include a description of the
14 project, the progress of work completed, the total estimated
15 cost of the project, a list of all revenue sources being used
16 to fund the project, the amount of funds expended, the amount
17 of funds obligated, and the date the project was completed or
18 an estimated completion date of the project, where applicable.

19 2. On or before December 31 of each year, a recipient
20 of moneys appropriated in this division of this Act for any
21 purpose shall report to the state agency to which the moneys
22 are appropriated the status of all projects completed or in
23 progress. The report shall include a description of the
24 project, the progress of work completed, the total estimated
25 cost of the project, a list of all revenue sources being used
26 to fund the project, the amount of funds expended, the amount
27 of funds obligated, and the date the project was completed or
28 an estimated completion date of the project, where applicable.

29 Sec. 10. REVERSION. For purposes of section 8.33, unless
30 specifically provided otherwise, unencumbered or unobligated
31 moneys from an appropriation made or amended in this division
32 of this Act shall not revert but shall remain available for
33 expenditure for the purposes designated until the close of
34 the fiscal year beginning July 1, 2017. However, if the
35 project or projects for which such appropriation was made or

1 amended are completed in an earlier fiscal year, unencumbered
2 or unobligated moneys shall revert at the close of that same
3 fiscal year.

4 Sec. 11. EFFECTIVE UPON ENACTMENT. This division of this
5 Act, being deemed of immediate importance, takes effect upon
6 enactment.

7 DIVISION III

8 RADON CONTROL IN SCHOOLS

9 Sec. 12. NEW SECTION. 280.30 Radon testing.

10 1. For purposes of this section, "*short-term test*" means
11 a test approved by the department of public health in which a
12 testing device remains in an area for not less than two days
13 and not more than ninety days to determine the amount of radon
14 in the air that is acceptable for human inhalation.

15 2. The board of directors of each public school district
16 may provide for short-term testing and retesting for radon gas
17 to be performed at each attendance center under its control
18 and following any new construction of an attendance center or
19 additions, renovations, or repairs to an attendance center.

20 3. *a.* The department of public health and the department
21 of education shall each adopt rules to jointly administer this
22 section.

23 *b.* In consultation with appropriate stakeholders, the
24 department of public health shall adopt rules establishing
25 standards for radon testing at attendance centers. Such
26 standards shall include but are not limited to training
27 requirements for persons to conduct such testing and best
28 practices for conducting such testing.